THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.17841 of 2006

DATED 07.09.2006

Between:

K.Sudhakara. .. PETITIONER

versus

The District Collector and the District
Election Authority, Anantapur,
Anantapur District and four others. .. RESPONDENTS

WRIT PETITION NO.17841 of 2006

ORDER:

Heard the learned counsel.

2. This Court ordered Notice Before Admission on 25.8.2006 and Sri Prabhakar Rao had taken notice on behalf of respondents 1 to 3 and Sri Upender Reddy had taken notice on behalf of 4th respondent. The counsel for the petitioner was permitted to take out urgent notice to 5th respondent and file proof of service. Accordingly the petitioner filed proof of service.

3. Sri Kothapally Ram Mohan Choudhary, learned counsel representing the petitioner, had taken this Court through the facts which had been narrated in the affidavit filed in support of the Writ Petition and would contend that in the Election O.P., O.P.No.1 of 2006 on the file of Election Tribunal (Junior Civil Judge), Kalyandurg, Anantapur District, which was filed by the petitioner, the petitioner had moved an application IA.No.356 of 206 requesting for recounting of votes and it is stated that the same is not being disposed of. Sri Prabhakar Rao, learned counsel representing respondents 1 to 3 would submit that inasmuch as the Election O.P. is said to be pending, the Election Tribunal may be directed to dispose of I.A.No.356 of 2006 at an early date in the facts and circumstances.

4. Several other factual details had been narrated in paragraphs 2 and 3 of the affidavit filed in support of the Writ Petition need not be dealt with at length.

5. Be that as it may, it is stated that IA.No.356 of 2006 in Election

O.P.No.1 of 2006 on the file of the Election Tribunal (Junior Civil Judge), Kalyandurg, Anantapur District, was moved by the petitioner praying for recounting of votes and it is also stated that the said application is not being disposed of. In the facts and circumstances, the Election Tribunal (Junior Civil Judge), Kalyandurg, Anantapur District, to dispose of the application IA.No.356 of 2006 in O.P.No.1 of 2006 as expeditiously as possible at any rate within a period of three (03) weeks from the date of receipt of a copy of this order.

With the direction indicated above, the Writ Petition is disposed of. No costs.

07.09.2006

SSR

Issue order copy tomorrow.

(BO)